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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
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10 DOMIQUE A. UPSHAW,

11 Plaintiff,

12 v.

13 BOBBY MEEKS, et al.,

14 Defendants.
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CASE NO. 15-256 Erie

ORDER ADOPTING THE REPORT
AND RECOMMENDATION

16 The Magistrate Judge issued a Report and Recommendation in this matter (Dkt. No. 37),
17 recommending that Defendants' motion to dismiss or, in the alternative, motion for summary
18 judgment (Dkt. No. 30), be granted and that this case be dismissed. After reviewing the Report
19 and Recommendation, the record, and all other materials before the Court, and no objection
20 having been filed by Plaintiff, it is hereby ordered that:

21 1) The Report and Recommendation is ADOPTED;

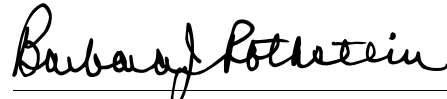
22 2) Defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment

23 (Dkt. No. 30) is GRANTED and this case is DISMISSED with PREJUDICE; and
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1 3) The Clerk of the Court shall send copies of this order to Plaintiff and all counsel.
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3 **IT IS SO ORDERED.**

4 Dated March 10, 2017.
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8 Barbara Jacobs Rothstein
9 U.S. District Court Judge
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